

**In the drawings:**

Replacement drawings (6 sheets) are attached which are formal drawings. Figure 3 and the specification have been amended as requested by the Examiner to enter the lines 4-4 in respect of Figure 4. The remaining figures which are cross sections cannot be identified in this manner since they are enlargements not cross sections of earlier figures. Copies of the drawings as originally filed (6 sheets) are also enclosed.

**REMARKS:**

In regard to the issues of priority, applicant does not wish to claim priority from the prior US application nor from the prior pending Canadian application. Applicant therefore cancels any claim to priority and it is requested that the Record be amended accordingly. If a fresh Declaration is required, it is requested that the Examiner call for such a Declaration whereupon it can be prepared and submitted as required.

With regard to the claims fees for additional claims, 5 claims have been cancelled and 1 claim has been added so that there is now a total 16 claims. In addition there are now 8 independent claims so that a total claims fees of  $(5 \times \$100) = \$500$  is required. The Commissioner is hereby authorized to charge the fees of \$500 to Deposit Account No: 01-0310. A duplicate copy of this sheet is enclosed for the Examiner's convenience.

With regard to the objections under 35 U.S.C. 112 concerning inconsistencies in the claims regarding imperforate and perforations, Claim 1 has been amended to make this more clear, as explained in more detail hereinafter.

Other independent claims now presented have been amended to delete the term "imperforate material" so there is no longer any confusion in this area.

With regard to the confusion in Claim 11 concerning imperforate insert members, this claim has now been amended to make clear that the imperforate insert members are different from the perforated insert members of Claim 1.

The Examiner has kindly indicated the allowability of Claims 4 and 6 (amongst others). Claim 4 has been amended so that it is now independent and includes all of the features of original Claim 1 together with original Claim 4, bearing in mind that the term "imperforate material" has been cancelled in view of the objection under 35 U.S.C. 112.

Similarly Claim 21 has been added which is a combination of the features of original Claim 1 and original Claim 6 bearing in mind again the objection concerning the term "imperforate material".

It is submitted therefore that independent Claims 4 and 21 are now allowable.

In addition the amendment presented herein submits an amended independent Claim 1, a new independent Claim 2 and a new independent Claim 5. The Examiner previously rejected these claims under 35 U.S.C. 102 or 103 but it is now submitted that these claims are distinguished from the prior art as explained hereinafter.

**Claim 1**

Claim 1 has been amended to include the features that:

- a) The insert member is formed of a material which is not a screen material so that the material is imperforate.
- b) The imperforate material has an array of fluid injection holes formed through the material.
- c) The fluid injection holes are shaped and arranged to cause the injection of jets of fluidizing liquid.

It is firstly submitted that these terms are not inconsistent since the material itself is not itself a screen and thus is an imperforate material such as a plastic strip. The basic material is therefore imperforate but it has an array of holes formed through it for example by drilling or punching. The feature that the material is "not a screen material" clearly distinguishes from the prior art cited by the Examiner of CA 2085064 where the material is clearly stated to be a screen material. A screen material is of course a material formed from mesh, woven fabric or the like which necessarily has holes or interstices between the threads of the mesh or screen.

In the present invention as defined in Claim 1 the material is itself is imperforate and then is punched or drilled to form the holes. In addition these holes are shaped and arranged so that they cause an injection of jets. The screen material cannot and does not provide jets since the water merely weeps through the screen material as opposed to forming jets.

It is submitted therefore that the amended Claim 1 is clearly distinguished from the prior art cited under 35 U.S.C. 102 or 103 in view of the above features.

**Claim 2**

Claim 2 has been presented as an independent claim including the independent features of original Claim 1 with the exception of the "imperforate material". Claim 2 now states that the holes are formed in a manner which provides a specified direction along an axis of the hole and that at least some of the holes are formed such that the axis thereof lies on a direction which is different from the line radial to the axis of the bowl. Thus for example as shown in Figure 4, the holes are formed so that they are directed at an angle to the radial direction so as to tend to direct the material around the bowl.

This arrangement is not provided in the prior art where the screen material merely provides openings between the material of the screen so that the water will weep through the screen inwardly. There are not jets formed and certainly no formation of holes with an axis lying at an angle to align radial to the axis of the bowl.

It is submitted therefore that Claim 2 is distinguished from the prior art cited under 35 U.S.C. 102 or 103.

The Examiner will be aware that inclined holes of this type are known in the prior art. However the use of a screen material in the prior art clearly indicates that the holes are provided over the entire surface of the insert member merely as weeping holes so

that there is no intention to form a jet and therefore no intention that the jet be inclined to align radial to the axis of the bowl. The use of screen material therefore precludes holes of this type and therefore modification of the Canadian prior art reference, even bearing in mind the known prior art of the inclined holes, is not possible in view of the use of the screen material.

**Claim 5**

This claim has been amended to make more clear the structure of the shoulder, that the shoulder in the recess is spaced from the base, formed in the side wall and facing generally radially inwardly.

In the Canadian prior art reference, the Examiner has suggested that there are shoulders provided. However the technique for mounting the screen in the Canadian reference includes the provision of the flanges 226 which are attached to the edges of the screen and simply pressed into the recess. The recess side wall therefore has no shoulder and the recess sidewall is smooth. Instead the screen is prevented from movement radially outwardly of the bowl by the side flanges which extend from the screen to the base of the recess. There is no suggestion in the Canadian reference that any other mounting technique could be provided and particularly that there be provided a simple flat screen bridging the side walls and resting against shoulders on the side walls.

It is submitted therefore that Claim 5 as amended is clearly distinguished from the prior art cited and should therefore be allowed.

With regard to the second set of claims 15 to 20 directed to the replacement insert member and based upon original Claim 15, independent Claims 15, 16 and 17 correspond respectively to Claims 1, 2 and 21 set forth above. Each of these claims therefore is distinguished from the prior art for the same reasons as set forth in regard to the claims above.

23

Further and favourable reconsideration of this application is respectfully requested.

Respectfully submitted

KEVIN GORDON PEACOCKE

PER:

Adrian D. Battison

Registration No. 31,726

ADB/II

September 26, 2005

Enc.(14)

Adrian D. Battison

Winnipeg, Manitoba, Canada

Telephone (204) 944-0032 - FAX (204) 942-5723

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300, on September 26, 2005

LYNN LEATHERDALE

Lynn Leatherdale